

Knobbe Martens Olson & Bear LLP*Intellectual Property Law*

550 West C Street
Suite 1200
San Diego CA 92101
Tel 619-235-8550
Fax 619-235-0176
www.kmob.com

FACSIMILE TRANSMITTAL SHEET**RECEIVED
CENTRAL FAX CENTER**

CONFIRMATION COPY WILL FOLLOW VIA:

AUG 24 2005

- | | |
|--|---|
| <input type="checkbox"/> MAIL | <input checked="" type="checkbox"/> WILL NOT FOLLOW |
| <input type="checkbox"/> INTERNATIONAL AIRMAIL | <input type="checkbox"/> HAND DELIVERY |
| <input type="checkbox"/> COURIER | <input type="checkbox"/> WITH ENCLOSURES |
| <input type="checkbox"/> E-MAIL | <input type="checkbox"/> WITHOUT ENCLOSURES |

Confidentiality Notice:

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; and any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: Daniel Kolker
FROM: U.S.P.T.O.
FACSIMILE NO.: 571-273-3181
OUR REF.: GNE.3230R1C45
YOUR REF.: U.S. Serial No. 10/063,565
FROM: Marc Morley
OPERATOR: Serina Anderson NO. OF PAGES: 34 (incl. cover sheet)
DATE: August 24, 2005 TIME:

IF YOU DID NOT RECEIVE ALL OF THE PAGES PLEASE CALL BACK IMMEDIATELY

OPERATOR PHONE NO.: (619) 235-8550

FACSIMILE NO.: (619) 235-0176

MESSAGE: PLEASE FIND ATTACHED A COPY OF THE DOCUMENTS FILED WITH THE U.S.P.T.O ON AUGUST 24, 2005.

Orange County
949-760-0404

San Francisco
415-954-4114

Los Angeles
310-551-3450

Riverside
951-781-9231

San Luis Obispo
805-547-5580

BEST AVAILABLE COPY

Knobbe Martens Olson & Bear LLP
Intellectual Property Law**RECEIVED
CENTRAL FAX CENTER**

AUG 24 2005

550 West C Street
Suite 1200
San Diego CA 92101
Tel 619-235-8550
Fax 619-235-0176
www.kmob.com**USPTO FACSIMILE TRANSMITTAL SHEET**

Page 1 of 1

Docket No.: GNE.3230R1C45

CUSTOMER NO. 30,313

Applicant : Goddard, et al.
App. No. : 10/063,565
Filed : May 2, 2002
For : SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME
Examiner : Kolker, Daniel E.
Group Art Unit : 1649

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
marked attachments are being transmitted via
facsimile to the USPTO Central Fax No. (571)
273-8300 on the date shown below:

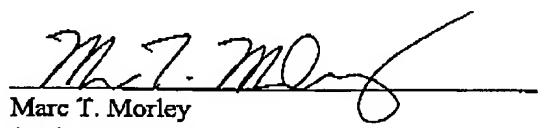
August 24, 2005


Marc T. Morley, Reg. No. 52,051

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

- (X) RESPONSE TO EXAMINER REQUEST in two (2) pages.
- (X) A copy of the *Response to Office Communication* filed on June 16, 2005 in two (2) pages.
- (X) A copy of the returned postcard showing receipt by the PTO of the *Response to Office Communication* in one (1) page.
- (X) A copy of the *Submission Filed with Request for Continued Examination* that was filed on March 18, 2005 in twenty-seven (27) pages, not including the declaration, exhibits or IDS that also were filed on March 18, 2005.
- (X) Total pages in transmission: 33

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.


Marc T. Morley
Registration No. 52,051
Attorney of Record
Customer No. 30,313
(619) 235-8550

1882169 sma082205

Orange County
949-760-0404San Francisco
415-954-4114Los Angeles
310-551-3450Riverside
951-781-9231San Luis Obispo
805-547-5580

RECEIVED
CENTRAL FAX CENTER

GNE.3230R1C45

AUG 24 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al.
Appl. No. : 10/063,565
Filed : May 2, 2002
For : SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME
Examiner : Kolker, Daniel E.
Group Art Unit : 1649

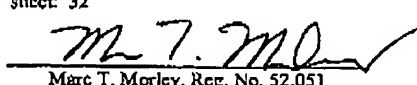
CERTIFICATE OF FAX
TRANSMISSION
PTO CENTRALIZED FAX

I hereby certify that this correspondence
and all marked attachments, are being
transmitted via facsimile to the USPTO
centralized Fax No. (571) 273-8300 on the
date shown below:

August 24, 2005

(Date)

Total number of pages including this
sheet: 32


Marc T. Morley, Reg. No. 52,051RESPONSE TO EXAMINER REQUEST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is sent in response to a telephone request by Examiner Kolker. The Examiner contacted the undersigned and requested that Applicants submit (1) a copy of the *Response to Office Communication* filed on June 16, 2005, and (2) a copy of the returned postcard evidencing that the PTO received the *Response to Office Communication* along with the other listed papers on June 20, 2005. Both of the requested items are included with this paper.

Also enclosed is a copy of the *Submission Filed with Request for Continued Examination* that was filed on March 18, 2005, and received by the PTO on March 21, 2005 as indicated by PAIR. Applicants state that the submission includes the correct claims for examination in the above-referenced application. Please note that the Declaration and Exhibits that accompanied the submission filed on March 18, 2005 are not included with this paper.

Applicants invite the Examiner to call the undersigned if any remaining issues may be resolved by telephone.

Appl. No. : 10/063,565
Filed : May 2, 2002

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 24, 2005

By: M.T. Morley
Marc T. Morley
Registration No. 52,051
Attorney of Record
Customer No. 30,313
(619) 235-8550

1875525 sma081705

RECEIVED
CENTRAL FAX CENTER

AUG 24 2005

GNE.3230R1C45

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

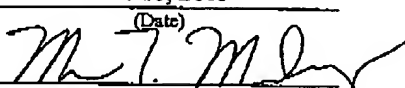
Applicant : Goddard, et al. (as previously amended)
Appl. No. : 10/063,565
Filed : May 2, 2002
For : SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME
Examiner : James Jason Galvez
Group Art Unit : 1647

CERTIFICATE OF MAILING

I hereby certify that this correspondence
and all marked attachments are being
deposited with the United States Postal
Service as first-class mail in an envelope
addressed to: Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-
1450, on

June 16, 2005

(Date)


Marc T. Morley, Reg. No. 52,051RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Communication mailed May 17, 2005.

REMARKS

The Office Communication dated May 17, 2005 acknowledged receipt of a request for continued examination under 37 C.F.R. 1.114, the appropriate fee, and a submission in connection with the above-referenced patent application. However, the Office Communication asserts that the submission was not fully responsive to the prior Office Action due to an alleged cancellation of the previously examined claims. Because Applicants' submission was a *bona fide* attempt to provide a complete reply, Applicants were given a one month period to submit a complete reply.

A review of the Patent Office's PAIR database shows that the response referred to by the Office Communication is actually the response that was filed for related Application No. 10/063,566 (Attorney Docket No. GNE.3230R1C46). That submission incorrectly listed the

Appl No. : 10/063,565
Filed : May 2, 2002

Application No. as 10/063,565, rather than as 10/063,066, although the transmittal and IDS listed the correct number. Thus, it appears that the submission for the related application has been mistakenly placed in the instant file causing confusion as to the identity of correct submission.

The correct submission for Application No. 10/063,565 was filed on March 18, 2005. For the sake of clarity, submitted herewith is a copy of that submission that was filed in connection with the request for continued examination, along with a copy of the filing documents. The submission is a complete response to the Office Action dated October 20, 2004 and includes a Declaration under Rule 131.

Applicants have endeavored to fully respond to the Office Communication dated May 17, 2005. Applicants invite the Examiner to call the undersigned if any remaining issues may be resolved by telephone.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 16, 2005

By: M. T. Morley
Marc T. Morley
Registration No. 52,051
Attorney of Record
Customer No. 30,313
(619) 235-8550

1774288
061605

UTILITY/DESIGN PATENT
(Indefinite)Date: 6/16/05
Date of Action: 5/19/05

Rec'd in the USPTO on the date stamped hereon via:

☐ Certificate of Mail; or☐ Express Mail #:Docket #: ONE, JADRICYS Applicant: Buddha, et al.Title: Method and apparatus for communicatingApp No.: 10/063,545 Filed: May 2, 2005

Ext: _____ Art Unit: _____

Class/Subclass: _____ Re Exam No.: _____

Patent No.: _____ Issued: _____

VERIFIED BY: Asst: SM Atty: MTMSupplied to Office Communication in 2 monthsLife, Substantive: Disposition: In view of prior art☐ Submitted on 3/18/05 in 65 pages w/ 5 claims 01-10☐ Information Disclosure Statement filed 4/1/05 w/ 5 refs listed☐ and 5 references provided☐ Return Prepaid Postcard

(11/4/03)

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☒ FADED TEXT OR DRAWING
- ☒ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.